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October 18, 2018

BY ECF

Honorable Vernon S. Broderick  
United States District Judge  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, NY 10007

Re: Pascual Nugzhi Guaraca v. Cafetasia Inc., et al  
17-cv-1516 (VSB)

Dear Judge Broderick:

I am an attorney with the office of Michael Faillace & Associates, attorneys for Plaintiff Luis Pascual Nugzhi Guaraca in the above-referenced matter. I write jointly with Defendants' attorney to request that the Court extend the deadline for filing a joint pretrial order and additional pretrial materials, which currently is October 22, 2018, and set a schedule for completion of discovery.

The reason for the request is that discovery has not been completed yet in this action. In this action, the Defendants filed a motion for partial summary judgment on July 15, 2017, just ten days after filing the answer and before any case management plan was entered. (Dkt. No. 43) The court then set a schedule to conduct discovery limited to the issues raised in Defendants' partial summary judgment motion. (Dkt. No. 48; *see also* Dkt. No. 50) The only discovery that has taken place in the action was limited to the issues raised in the partial summary judgment motion. Accordingly, the parties are not yet in a position to file a joint pretrial order and the additional pretrial submissions.

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The parties respectfully request that the Court set a discovery deadline of December 31, 2018 and set a deadline for submission of the pretrial order and additional pretrial submissions of January 28, 2019.

We thank the Court for its attention to this matter.

Respectfully Submitted,

/s/ Joshua S. Androphy

Joshua S. Androphy

cc: (By ECF)  
Attorney for Defendants